

MJ 23-04399

FILED

\Prob 12C (7/93)

UNITED STATES DISTRICT COURT

2023 JUN 29 PM 3:12

for

WESTERN DISTRICT OF TEXAS

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: James Kelp Brown, TN: James Kelp Edward Brown

Case Number: EP:12-CR-01410-DB(1)

Name of Sentencing Judicial Officer: David Briones, Senior U.S. District Judge

Date of Original Sentence: April 4, 2013

Original Offense: Possessing with intent to distribute methamphetamine > 50 grams, and aiding and abiding, a violation of 21 U.S.C. 841 and 18 U.S.C. 2.

Original Sentence: One hundred fifty-one (151) months imprisonment to be served concurrently with the sentence imposed in EP-11-CR-885-DB, followed by ten (10) years supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: December 7, 2022

Assistant U.S. Attorney: John S. Johnston

Defense Attorney: Gary B. Weiser

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number 1: The defendant shall not commit another federal, state, or local crime during the term of supervision.

Nature of Noncompliance: On June 6, 2023, El Paso Police Department (EPPD) DWI task force responded to a single vehicle collision into a house. When EPPD officers arrived, they met with the driver of the vehicle, James Kelp Edward Brown, who was severely intoxicated. James Kelp Edward Brown was placed under arrest and booked, for the offense of Driving While Intoxicated 3rd or more, a third degree felony, under case number 23-157010.

Violation Number 2: The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.

Nature of Noncompliance: On June 7, 2023, James Kelp Edward Brown was instructed by the New Mexico District United States Probation officer (USPO) to report to the office immediately upon release from custody. On June 9, 2023, Brown was released from custody on a bond, and has failed to report to the probation office as instructed. Multiple attempts in trying to reach Brown have been unsuccessful. Furthermore, a local jail records check, and a National Crime Information Center (NCIC)

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check revealed Brown is not incarcerated. Therefore, Brown's whereabouts are unknown.

Violation Number 3: The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.

Nature of Noncompliance: On 15, 2023, New Mexico District USPO spoke with Brown's mother, Diane Brown, who reported Brown had not been residing at the approved residence, located at 637 Cynthia Lane Chaparral, New Mexico 88081. Mrs. brown further reported Brown's whereabouts were unknown.

Violation Number 4: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

Nature of Noncompliance: On June 6, 2023, El Paso Police Department (EPPD) DWI task force responded to a single vehicle collision into a house. When EPPD officers arrived, they met with the driver of the vehicle, James Kelp Edward Brown, who was severely intoxicated. James Kelp Edward Brown was placed under arrest and booked, for the offense of Driving While Intoxicated 3rd or more, a third degree felony, under case number 23-157010.

U.S. Probation Officer Recommendation:

The term of supervision should be

☒ revoked.

☐ extended for _____ years, for a total term of _____ years.

☐ modified as follows:

Respectfully submitted,



Naira Isais
U.S. Probation Officer
Office (915) 585-6546
Cellular (915) 613-8400

Approved by,



David C. Trejo
Supervising U.S. Probation Officer
Office (915) 585-5576
Cellular (915) 861-8369

Date: June 28, 2023

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THE COURT ORDERS:

- ☐ No action.
- ☒ The issuance of a warrant.
- ☐ The issuance of a summons.
- ☐ Other



David Briones, Senior U.S. District Judge

6-29-2023

Date